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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
TAYLOR, NICHOLAS R	
ART UNIT	PAPER NUMBER
2141	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/770,943	BOND ET AL.	
	Examiner	Art Unit	
	NICHOLAS TAYLOR	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5-8,10-12 and 14-17* is/are rejected.

7)☒ Claim(s) *3,4,9 and 13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *8/30/2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-17 have been presented for examination. Claims 1, 2, 5-8, 10-12, and 14-17 are rejected. Claims 3, 4, 9, and 13 are objected to.

Allowable Subject Matter

2. Claims 3, 4, 9, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

3. Applicant's arguments filed December 3rd, 2007, have been fully considered but they are deemed not persuasive with respect to the presently rejected claims.

4. In the remarks, applicant argued in substance that:

(A) The prior art of Gourraud does not teach communicating between a network-resident software application and a user device through a network resident component. Furthermore, nowhere does Gourraud teach the use of a pseudodevice.

As to point (A), Gourraud teaches a network resident software application that communicates with a user device through a network-resident component (paragraph

0026-0028 and fig. 1). Gourraud teaches a network communication structure where, for example, a network resident software-application service communicates through a network resident server component with a user device (paragraphs 0028-0030). Applicant argues a distinction based on the architecture presented in fig. 1 where the use of differing communication mediums distinguishes from the present claim language. However, the independent claims only define the source and destination of the network communications, but do not place limitations on the medium or path of the communications themselves. The path presented by Gourraud in figs. 1 and 3 would be reasonably interpreted to meet the presented claim limitations.

As to the argument that Gourraud fails to teach a pseudodevice, the Examiner respectfully submits that Applicant has not presented the features of Gourraud that would not reasonably be interpreted to be a "pseudodevice," i.e., "almost a device." More specifically, the only suggested limiting definition of the term is drawn from claim 17 and is described as "a unified software interface function that provides an interface between the at least one resident software application and the at least one user device." Gourraud teaches a software interface function that provides such an interface in figs. 1, 3, and paragraphs 0026-0030.

(B) The prior art of Gourraud and Kay does not teach sending a user response from the network-resident component to the network-resident software application that initiated the message request. Kay merely responds to queries.

As to point (B), Gourraud teaches communication from a network resident software application that initiated the message request (Gourraud, paragraphs 0026 and figs. 1 and 3; see also fig. 4 where a request is initiated). Kay also teaches sending a response, for example, in fig. 2 and paragraph 0028 where a user response from the network-resident component is sent to the network resident-software application that initiated the request.

(C) The prior art of Gourraud and Kay does not teach query parameters to specify the type of query to send to the user device.

As to point (C), Gourraud teaches a message that includes parameters that specify the type of query to send to the user device (Gourraud, paragraphs 0051-0062). In the example embodiment, Gourraud uses a videoconference parameter that both describes the type of session and sets the type of query that is sent to the device. For example, in paragraphs 0052-0061, the videoconference query parameter results in query options that are specific to the type of query being presented (see Gourraud, paragraphs 0054-0060).

(D) The prior art of Gourraud and Kay does not teach maintaining a unique session ID mapping to the software application that initiated the request. Kay merely describes a table that associates a security key with a particular webpage.

As to point (D), Kay generates an "access key" that is "a random number of sufficient length to determine without access to the random number generator's starting

seed" (Kay, paragraph 0049). Kay maintains a table that maps to the software application that initiated the request in the form of a webpage that is specific to the current session (Kay, paragraph 0049). Kay explains that one of the benefits commonly found with uniquely generated session IDs includes security against third-parties who attempt to intercept communication relays (Kay, paragraph 0050). While Kay describes a unique session ID as providing beneficial security advantages, such teaching does not contravene the claimed dependent limitations or whether the "access key" is a unique session ID for a message request from the network-resident software application.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1, 2, 5-8, 10-12, and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gourraud et al. (U.S. PGPub 2004/0006623) and Kay et al. (U.S. PGPub 2002/0103917).

7. As per claims 1, 6, 11, 15, 16, and 17, Gourraud teaches a method for requesting information from a user by communicating between a network-resident software application and a user device through a network-resident component, the method comprising:

receiving in the network-resident component a message request for information from a user from the network-resident software application; translating in the network-resident component the message request to a hyperlinked instant message to the user device in a format adapted for communication with an instant messaging client resident on the user device; (Gourraud, paragraph 0026 and figs. 1 and 3)

sending the hyperlinked instant message from the network-resident component to the user device; (Gourraud, paragraph 0028)

receiving in the network-resident component a first HTTP request from a web browser located in the user device as a response to a user action that was elicited by the hyperlinked instant message (Gourraud, paragraph 0029).

Yet while Gourraud teaches the above, including communication between a network-resident software application and a user device through a network-resident component (Gourraud, paragraphs 0026 and figs. 1 and 3), Gourraud fails to teach,

sending from the network-resident component to the user device a selected type of HTTP response including a web form for entry of the requested information, in response to the first HTTP request;

receiving in the network-resident component a second HTTP request from the user device's web browser as a user response to a user action that was elicited by the selected type of HTTP response, the user response including the web form filled out with the requested information; and

sending the user response including the requested information from the network-resident component to the network-resident software application that initiated the message request for selected types of HTTP requests.

Kay teaches a method of sending hyperlinked instant messages to users in response to user actions for HTTP based actions (Kay, fig. 2 and paragraph 0009) that control network resident devices (Kay, paragraph 0043). Kay teaches sending a user a selected type of HTTP response dependent upon the HTTP request received, receiving an HTTP request from the user device as a response to a user action elicited by the selected type of HTTP response, and sending the response to the network-resident software application that initiated the message request (Kay, see, e.g., summary paragraphs 0010-0011 and implementation details of 0047-0051 where the HTTP query exchange takes place).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have combined Gourraud and Kay to provide the query system of Kay in the system of Gourraud, because doing so would enable an HTTP translation system by leveraging the authentication mechanism and other advantages, such as profile storage, that are inherent in a similarly implemented IM-based request servicing system (Kay, paragraphs 0007 and 0008). The combination would further increase the effectiveness of the instant message interaction with the user by affording additional options with regards to the specific service being selected, a technique that would be obvious to one of ordinary skill and produce predictable results.

8. As per claim 2, Gourraud-Kay teaches the system further wherein the message request from the network-resident software application further comprises: query parameters to specify the type of query to send to the user device (Gourraud, paragraphs 0051-0062).

9. As per claim 5, Gourraud-Kay teaches the system further comprising:

a session ID generator for assigning a unique session ID for a message request from the network-resident software application; a request table for maintaining a unique session ID mapping to the software application that initiated the message request; (Kay, paragraphs 0049-0051)

an instant messaging message formatter for formatting a message to conform to an instant messaging interface standard; an instant messaging client/server for use in sending messages to another instant messaging user; and an HTTP server for receiving HTTP requests, providing a selected response to a received HTTP request, and sending HTTP responses (Kay, see message dispatcher of fig. 3 and intermediary elements of fig. 2).

10. As per claim 7, Gourraud-Kay teaches the system further wherein the message request from the network-resident software application is a display message request (Kay, paragraph 0047 and fig. 2).

11. As per claim 8, Gourraud-Kay teaches the system further wherein the message request from the network-resident software application is a choose message request (Gourraud, paragraphs 0051-0062).

12. As per claims 10 and 14, Gourraud-Kay teaches the system further comprising:

an embedded unique session identifier, unique message type, and unique message identifier for selected message requests that elicit a user response in a uniform resource locater (URL) associated with a hyperlinked text message that is sent to the user device, (Kay, paragraphs 0049-0051)

where the URL is used by the user device to identify the network-resident component for sending a response (Gourraud, see e.g., paragraphs 0051-0062).

13. As per claim 12, Gourraud-Kay teaches the system further wherein the message request from the network-resident software application is a prompt message request (Kay, paragraph 0047).

Conclusion

14. Applicant's amendment necessitated any new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/NT/
Nicholas Taylor
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